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Customer Number

Patent  
Case No.: 53750US002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: JACOBS, GREGORY F.

Application No.: 10/039654

Group Art Unit: 3671

Filed: December 31, 2001

Examiner: Hartmann, Gary S.

Title: MATRIX ELEMENT MAGNETIC PAVEMENT MARKER AND METHOD OF  
MAKING SAMERESPONSEMail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

17 Dec. 2004 *Amber Nicholson*  
Date Signed by: Amber Nicholson

Dear Sir:

On November 19, 2004, the attached Request for Continued Examination and Amendment were submitted. In response to the submission, the Examiner issued an Advisory Action. Upon contacting the Examiner via telephone it was noted that the RCE request was not entered. Applicant respectfully requests that the RCE request and amendment be entered.

Respectfully submitted,

12-17-04  
DateBy: *Carolyn Fischer*  
Carolyn A. Fischer, Reg. No.: 39,091  
Telephone No.: (651) 575-3915Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833

DEC 17 2004

Docket No.: 53750US002

**32692**

Customer Number

**Request for Continued Examination (RCE) Transmittal**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

First Named Inventor: Jacobs, Gregory F.

Application No.: 10/039654

Group Art Unit: 3671

Filed: December 31, 2001

Examiner: Hartmann, Gary S.

Title: Matrix Element Magnetic Pavement Marker and Method of Making Same

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

**1. Submission required under 37 CFR § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)/Supplemental IDS
- iv. ☐ Other

**2. ☐ A Request for Extension of Time is being filed concurrently****3. Fees** (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

- a. ☒ The Director is hereby authorized to charge the following fees or credit any overpayments to:  
Deposit Account No. 13-3723. A duplicate copy of this letter for fees processing is enclosed.
- i. ☒ RCE fee required under 37 CFR § 1.17(e)
- ii. ☐ Other

Respectfully submitted,

11-19-04  
Date

By:

*Carolyn A. Fischer*  
Carolyn A. Fischer, Reg. No.: 39,091  
Telephone No.: (651) 575-3915

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: (651) 736-3833

Certificate of Mailing or Transmission	
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Sent to Facsimile No.: 703-872-9306	Signature: <i>Amber Nicholson</i>
Date: November 19, 2004	Printed Name: Amber Nicholson

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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP: (3671)

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Patent  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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p. 2

First Named Inventor: JACOBS, GREGORY F.

Application No.: 10/039654

Group Art Unit: 3671

Filed: December 31, 2001

Examiner: Hartmann, Gary S.

Title: MATRIX ELEMENT MAGNETIC PAVEMENT MARKER AND METHOD OF  
MAKING SAMEAMENDMENT AND RESPONSE UNDER 37 CFR § 1.116Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR § 1.8(a))

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- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

19 Nov. 2004

Signed by: Amber Nicholson

Dear Sir:

This is in response to the outstanding Office Action, dated June 23, 2004, in the above-identified application.

Upon review of the file, it was noted that the initialed Form PTO-1449 filed with the Disclosure Statement dated September 28, 2004 has not been received. It is requested that the Examiner initial the Form PTO-1449, a copy of which is enclosed for the Examiner's convenience, and return it to the undersigned attorney.